## SHE IS EVA MANN, OR STEELE, OR BRILL

The Surrogate Says She Is Not the Widow of Robert Ray Hamilton.

EVA WAS NOT IN COURT YESTERDAY

A Commission Will Go to the Ranch in Wyoming Territory to Secure Legal Proof of Hamilton's Death.

It was well for Mrs. Eva Mann that she was not in the Surrogate's Court yesterday. She was dropped out of the contest over Robert Ray Hamilton's will like a sandbag from a balloon.

The score of women who had waded through an awful rain and wind storm to observe Eva's discomfiture were sadly disappointed. The black obed claimant was attending the funeral of her mother in Dallas, Pa.

it is exceedingly probable that only her absence prevented a scene when Surrogate Ransom decided that she is not Hamilton's widow.

Lawyer Morrison, of Eva's counsel, began the tay's proceedings by asking for an adjournment to that he and Colonel Fuller might prepare a brief and an argument. The Surrogate denied the application, whereupon Lawyer Elihu Root began to sum up. He made no attempt at oratory. His sentences were like so many hammer blows. He drummed nervously on the green topped table before him as he said things that must have made the pugnacious Eva blush even hundreds of miles No attempt was made, he said, to dispute the fact that a marriage ceremony had taken place between Eva Steele and Robert Ray Hamilton, but a suit had been brought by Robert Ray Hamilton to annul that marriage on the ground of fraud.

"If that marriage was part of a scheme to defraud, either with the connivance or purchased silence of Joshua Mann," said Mr. Root, "it destroys not only the presumption in her favor, but raises a presumption against her. This woman has displayed in this court an unparalleled fabric of fraud and falsehood. Your Honor can never, on such testimony as that, award a 'widow's' share to this

EVA'S LAWYER'S PLEA. Colonel Fuller summed up for Eva. He spoke of the tenderness and pathos of Eva's disposition and her friendless position in court. He denied that the entries in any number of hotel registers of "J. J. Mann and wife" was proof of a marriage between Josh and Eva. "If that be a proof of marriage," excialmed

Colonel Fuller, "New York is not big enough to hold ill the married men. Will this Court say that this woman shall be thrown from her position as a lawful widow back into the slums from which she

lawfil widow asset that the harmonic has been taken?'

The surrogate did say so, to Colonel Fuller's surprise, and in this language:

THE LAW AND THE FACTS.

The Law and the yacrs.

The law applicable in this case is theroughly set forth in the statutes of this State. It is necessary, therefore, to apply the law to the facts adduced. Whether the contensate was or was not at the time of the ceremony between her and Robert Ray Hamilton worthy of being the wife of an honorable man is not for me to decide. In this proceeding to inquire into the paper which purports to the the last will of Robert Ray Hamilton we have been obliged to consider a preliminary question—the status of one of the parise, her right to share in the estate and her right to be heard on that inquiry. The question is one of fact, to be detarmined before we proceed with the probate of the will. The Surrogate sits as a jury, and it is his duty to ascertain the fact, but the contestant is what she claims to be, the wing the the contestant is the was an admitted. If she had the right in law to contract a marriage and Hamilton was then capable of doing the same, the coremony then accomplished its object and a marriage was made. If at that time either of them was incapable in law of contracting a marriage, then the caremony was void and a mility and must be so declared.

The only question is whether the contestant had the

imitectify.

The admissions or declarations of this woman and Joshus Mann that they were man and wife do not establish a marriage, but they either disclose the honest feelings of the heart or were made for the purpose of concealing their true relations. We must consider the probabilities in this case to see extent.

No STANDING IN COURT.

The Court of Appeals says that marriage can be proved by association, repute, introduction and reception among neighbors alike. Upon the proof in this case can any unbiassed man come to any other conclusion than that Josh Mann and Eva were man and wife almost from the first time they met?

Whather lismilton had passed as a lawyer upon a confession of Eva and Josh is of no consequence. A contract of marriage would have been utterly impossible even if hamilton were willing to contract a lawful marriage with this woman.

The evidence in this case satisfies me that if the reis-

monial.

There is no question about the juntifulness of the witnesses, who have sworn here that they heard Josh Mann teatify on the witness stand at the trial of Joseph Steele that his heard the state is as the heats and the southern. This must outweigh the testimony of Mrs. Mann on the witness stand shows he had such vital futerests at stake.

I regret that my duty compels me to say anything in the way of criticism against this contestant, and I shall content myself by saving substantially that her evidence is unworthy of belief. I do not believe her.

I hold that on January 7, the data of the ceremony between this contestant and Robert Ray limition, she was the lawful wife of Joshus J. Mann, and has no standing in this court to centest the last will of Robert Ray Hamilton.

In this court to contest the last will of Robert Ray Hamilton.

No LEGAL PROOF OF HAMILTON'S DEATH.

After recess Edward R. Vollmer and D. W. Couch, Jr., who winnessed Mr. Hamilton's will on March 17, 1880, identified it. Gilbert M. Speir, Jr., told of his visit at Robert Ray Hamilton's invitation to his ranch at the head of Jackson's Lake, Wyoming Territory, last September. When he arrived thero helearned that Mr. Hamilton had gone fishing on August 22 to Moffatt Lake, fitteen miles away, John D. Sargent and Dr. Green told him of the finding of Hamilton's body in Snake River on September 1, with his drowned horse, "Baby," beside him.

Mr. Speir's hand trembled as he held out the gold watch found on young Hamilton's body. It had stopped at thirty-three minutes past nine o'cleck, and two turns of the key wound it up. This shows that Hamilton was drowned shortly after winding his watch, possibly in the morning, Surrogate Ransom suggested, and not at night, as Mr. Speir believed.

Casimir D. R. Moore, who had accompanied Mr.

Casimir D. R. Moore, who had accompanied Mr. Speir on the trip, corroborated his testimony.

The Surrogate said:—'The fact of the will has been made out. I am not willing to hold, on the evidence as now before me without the opportunity to examine the evidence very carefully, that the fact of Robert Ray Hamilton's death has been

motion of Mr. Root the Surrogate gave leave

## LIVE . IMPERILLED BY FIRE.

THE KYLE INSTITUTE, AT COLLEGE POINT, L. L. EUENED TO THE GROUND.

The Kyle Institute, a three story and basement building at the corner of Thirteenth street and Eighth avenue. College Point, L. I., was burned yesterday morning. The inmates escaped from the building, and the fact that there was no loss of life is rather remarkable, as there were twenty-four persons sleeping in the building when the fire was discovered. They were Mrs. Fuerts, Mrs. Rosenberg, thrue teachers, seventeen scholars and

Rosenberg, three teachers, seventeen scholars and two servants.

Mrs. Rosenberg, who occupied a room on the second floor, was awakened by a sense of suffocation. When she resided that the house was filled with hot smoke she proceeded to awaken the funnates, and ran through the corridors shouting and knocking at the doors of the rooms. Two of the teachers escaped by sliding down the lightning rod, and Professor Paul Ryle, the proprietor, lowered himself to the ground from an upper window. The scholars and servants ran through the smoke to the street.

The fire is supposed to have resulted from a defective flue. Professor Ryle's loss on personal effects is \$8,000; his insurance is \$1,000. Mrs. Rosenberg's loss is \$5,000. of whice \$2,500 was cash. The other immates lose their personal effects. The building was valued at \$18,000.

## BIRD SAYS MISS FAULKS LIES.

The trial of William D. Bird under the charge of betrayal made by Miss Grace Faulks was contin-

Faulks, testified regarding the trip of his father and himself to Virginia and the arrest of Bird. Several witnesses testified to the general good character of Miss Faulks.

For the defence Lawyer Borcherling moved for a dismissal, claiming that the State had failed to prove the material facts. Judge Kilpatriot denied the motion, and Bird was called as a witness. He said he had not promised to marry Miss Faulks, and denied various details of her testimony. He also contradicted the testimony of other witnesses for the prosecution. The case will proabably be concluded to-day.

CRUSHED BETWEEN IRON ROLLERS.

NORTHWOOD'S COAT CAUGHT IN THE MACHINERY AND HE WAS DRAGGED TO DEATH.

Thomas Northwood, who was a boss roller employed in the iron rolling mills at Boonton, N. J. was crushed in the rollers yesterday morning. The mile are at present running day and night, and turning out heavy wrought iron plates. Northwood was in the act of repairing what is known as the coupling boxes, when his overcoat caught in the wires holding the stretcher, the latter being of wood, and belonging to the immense heavy rolls.

The men who were at work in the mills were startled by hearing Northwood make a sudden outcry, and most of the workmen who saw the man's body drawn into the coupling seemed paralyzed with fright at the shocking sight. The body Northwood was slowly drawn through the couplings, and when it came out it presented a terrible spectacle. It was a flattened mass not more than three inches in thickness. Most of the workmen were compelled to turn away from the

scene and it was some time before the mass of flesh and bones was gathered up and placed in a hos. Northwood resided with his wife and three children in a cottage near the miles. When Mrs. Northwood heard of the accident she hurried to the mills, but was not allowed to see the mangled remains of her husband. Northwood was fifty-six years of age and was a skilled workman.

SUICIDE OF BROKER PRATT.

HE PLACED A REVOLVER AT HIS MOUTH AND SENT A BULLET THROUGH HIS HEAD. INV TELEGRAPH TO THE HEBALD.

RAHWAY, N. J., Jan. 22, 1891 .- Shortly after din ner to-day the city was startled by the report that ex-Councilman C. E. Prats had killed himseif, About nine o'clock this morning he left his residence on Millan avenue, which he had just completed, and started for the old homestead at Milton. Arriving there he entered the house and looked over some papers in a desk. Then he told the man in charge of the place that he was lonely. After pacing up and down the front stoop a number of times, meanwhile talking incoherently, he started for the barn. Soon a shot was heard. The workman found Mr. Pratt dying, with a revolver in his left hand. He had placed the weapon in his mouth and fired, the ball coming out of the top of moute and need, so, his head.

Mrs. Fratt and the family were notified. Mr. Walter Pratt hurried to the scene only to find his

Walter Pratt hurried to the scene only to find his father dead.

Mr. Pratt had for some time been complaining of a pain in his head, and yesterday he visited Philadelphia to consult his physician. He returned last night. No reason can be assigned for the act other than mental aborration.

Mr. Pratt lived in this city ever since his marriage to Miss Brown, daughter of the late William F. Drown, of Milton, and up to last November, when they moved to their elegant new house, had alwars lived on the homestead at Milton. Mr. Pratt was respected highly. He was wealthy, having inherited a fortune by the death of his father, in England, about three years ago. Of late years he had operated in Wall street considerably, but there is no truth in the rumor that he had met with losses which had unbalanced his mind.

DOLLIE WOULD HAVE HER WAY.

HER PARENTS' ODJECTIONS WERE NO BARRIER TO HER ELOPING WITH BERT.

DY TELEGRAPH TO THE HERALD, I DEEP RIVER, Conn., Jan. 22, 1891 .- A sensational elopement occurred yesterday in this town which has set all the viliage gossips by the ears, Miss Dollie Tyler, who is acknowledged the prettiest girl in the village, and Bert York being the actors. The parents of the girl objected to the young man's calling on the girl for the simple reason that man's calling on the girl for the simple reason that when Bert was a young man he was caught pilfering a till in the village grocery store one night and had to go to jall in consequence.

She, however, met her lover at every possible occasion and the young people decided they would get married at the earliest possible time.

A church meeting was being held yesterday at the village folks. Just as the service was finished Bert York, with the best livery team the town afforded, drove up to the church and arrived there just as Miss Dollis and her father were descending the steps together. Dollie rushed to the carriage and with a light bound was on the seat beside her intended. tended.

Her father was too surprised to move for a moment and did not regain bis senses until his daughter had aslead out goodly to him. Then the old

tor had called out goodby to him. Then the old man got mad, and with a yell started after the team on foot. Bert, with great coolness, kept the horse going at such a pace that the old man was always within a few feet of the wagon, but was unable to reach it. He followed after the flying team yelling and swearing for about half a mile, followed by all the farmers in the vicinity, who had hastily jumped into their teams to see the fun. The race was kept up until Bort saw that the old man was tired out; then he drave away.

They were married by a neighboring minister.

## HOW A BOY WAS ROBBED.

A bold and successful highway robbery was committed near Springfield, N. J., on Wednesday morning. Henry Metz, nineteen years old, who had ing. Refry Metz, hineteen years old, who had been sent into the country from Irvington by his father to buy cattle, was brought to a standstill by two men, who presented pistols at him and compelled him to hand over \$47.60 in cash.

Then they snatched two robes from his carriage and ordered him to turn about and kept their pistols aimed at him until he was out of range. The matter was reported to the Newark police yesterday.

A RAILWAY TRAIN BURNED. An extra freight train on the Pennsylvania Rail-

road ran into the rear of the Milistone freight train at Highland Park, opposite New Brunswick, N. J., The wreck took fire soon after the collision, and an engine, three cars and a caboose were burned. The damage is placed at \$18,000.

NEWS NOTES FROM ROUNDABOUT. By the will of the late Dr. Alvan Talcott, of Guilford, onn., Yalo College will receive \$25,000 and a valuable

By the will of the color \$25,000 and a valuable onn, Yale College will receive \$25,000 and a valuable medical siterary.

The novelty store of A. S. Lowenstein & Co., Wilkesbarre, Fa., was selved by the Sheriff yesterday on attachments of S. Northlinger, of this city.

An explosion in the mixing room of the composition pool ball factory of G. H. Burke, in Newark, exploded yesterday morning and caused \$3,000 damage by fire. Wilkins Demun was sentenced in the Warren County N. J.) Court by Junge Schultz yesterday to lifteen years' and labor in the State Prison and to pay a fine of \$1,000 or assaulting Adeline Vann, cleven years old.

At a mass meeting of citisens of Harrison and Kearney, N. J., beld in Harrison last night, it was unanimously resolved to sak the Legislature to pass a bill consell-dating the two towns under one city government. dating the two towns thener one eny government.

The six sloops of the Naw Suffolk scalling fleet, which
were driven on the shores of Fedoule Hay, L. L. by a
large flee of lee during the recent gale, have all been
launched and are now in readiness for business again. Judge Depue, of the Newark Circuit Court, called the Grand Jury before, the yesterlay afternoon and told them he had received letters assing that a number of gambling places existed in the city. He ordered the Grand Jury to thoroughly investigate the matter.

The contest over the will of the late Brewer Joseph Rubsann, which was to have been continued before Sur-regate Susphons at Stapleton, S. L. yesterday, was ad-journed by request of Lewyer McAdam, who represents the contestant, Joseph Rubsam, Jr., antil Thursday next. An east bound passenger train on the New York and ew hughand road yesterday morning ran into an east ound freight train near Hopswell Junction, Conn. The agine of the passenger train and several cars of the roight train were smashed. A heavy fog prevailed at the time of the accident,

While workmen were bracing up the high board fence estardny st the Clark Thread Work, in Newars, which estardny st the Clark Thread Work, in Newars, which estardny states the spinners who have taken the places of the ricers, a caffold broke and James Marlatt and John Illor were badly burk. Miller's ankles were fractured, we breken and his bead severely cut. He was taken to i. Michael's 100 plant.

Poor Heary Esser.

Vice Chancelor Pitney, sitting in Newark, gave a decision restords in the Sestacher divorce suit in favor on the piantiff, Mrs. Neottacher, granting her the divorce sine asked. In giving the judgment he made some scalling remarks about the testimony of Rav. Mr. Kern, of Carletadt, "Four witnesses testihod to having been present when the marriage coremony was performed," he said, "and Rev. Mr. Kern denies, that he married the couple, as they were the drunks that he married the couple, as they were the drunks. used in Newark yesterday in the Court of Quarter Sessions. Miss Faulks testified to various meetings with Bird, and she said when she visited him in jail he said she was responsible for his arrest, and he would describe their relations in as bad a light as possible. The girl's brother, Woodruff Grand Jary and andeaver to secure his indictment.

RECTOR MAGUIRE SAYS HIS WIFE WAS A TERROR

She Nursed Him When He Was Sick, but He Was Afraid She Might Pitch Him down the Stairs.

THE BOARDERS DISLIKED HER.

Judge Osborn Has Taken the Divorce Case Under Advisement and Has Reserved His Decision.

The trial of the suit brought against the Rev. Hugh M. Maguire, of the Protestant Episcopal Church of Our Saviour, of Brooklyn, by his wife, Maria C. Maguire, for limited divorce, was concluded yesterday in the Brooklyn City Court, be-

The lawyers on both sides refrained from summing up, and the Judge said he would take their briefs, examine the exhibits and reserve his de-

witness stand, and was cross questioned as to his relations with his wife since 1882. While he was sick his wife nursed him, he said, but her presonce was at times most harassing, and troubled him. "She may have nursed me according to her nature and capability," he said, "but I know that she constantly attacked me, and would have thrown me down stairs if she could."

The physical impossibility of the slight little woman accomplishing the task of tossing down stairs her husband was apparent. The Rev. Dr. Maguire is a large, strong man.

NEVER THREATENED HER. Mr. Maguire denied that he had threatened his wife with incarceration in the asylum prior to her running away with Douglass from Baltimore. In other places he had told her that unless she controlled herself and allowed him to attend to his studies he would be obliged to send hor to some place where she would be properly restrained-that

When she was away from him, from November, 1883, until September of the following year, he kept track of her through letters from her father and others as well as from herself. She remained for two years and nine months in

Bloomingdale, during which period he took a trip to Europe,
"During your entire pastorate, is it not a fact,
Mr. Maguire, that you have been preaching the
doctrine of forgiveness? Do you practise what you

Mr. Angure, that you have been preaching the doctrine of forgiveness? Do you practise what you preach?"

The Court ruled out the question.

Dr. W. B. Dale, of the asylum at Bloomingdale, and Dr. E. S. Bunker, of Brooklyn, who had examined Mrs. Maguire as to her mental condition in 1885, were called, but the result of their examination was not admitted.

William P. Studdiford, an elderly man, who boarded in Woodhull street, testified that he had heard Mrs. Maguire abusing her husband and that she called him a crazy Irishman and a fool. Mr. Studdiford said, at her request, he got her a boarding house in New York, and he took a room next to her's in the capacity of a sort of guardian.

John Brown, who boarded af No. 82 Woodhull street, had noticed Mrs. Maguire's actions. She used to go out a great deal from eight to ten o'clock in the morning, and would return at five, six, eight or at ton o clock at night. On one occasion she was locked out. He heard her husband ask where she had been, and the reply was:—"You do not tell me where you were when you go out, and I won't tell you where I have been."

Mrs. Julia M. Pyle, an elderly lady, who occupies a room on the third floor of the Woodhull street boarding house, in which the Maguires lived, testified that the reverend geulteman treated his wife with kindness and consideration. She never heard him say an unkind word to her. On the other hand, Mrs. Maguire treated him with apparent indifference.

While passing his rooms Mrs. Pyle on different

hand, Mrs. Maguire treated him with apparent indifference.

While passing his rooms Mrs. Pyle on different
occasions heard Mrs. Maguire call her husband
hard names. Mrs. Pyle said she had never been on
unfriendly terms with Mrs. Maguire. "I feel a
great sorrow for her," said the witness with much
earnestness of manner.

"Did she not always conduct herself at the table
in a ladylike manner?" said Lawyer Anderson.

"I cannot say she did. I saw her jump up in a
great huf and slam the door while the ladies of
the house were scated at the table. That was because a window was shut. She insulted every one
in the house, but I cannot give any particular time
or name."

FORGIVENESS FROM HER HUSBAND.

FORGIVENESS FROM HER HUSBAND.

The organist of the church, Mrs. Elizabeth

The organist of the church, Mrs. Elizabeth Thompson, an elderly lady, who lives at No. 10 Second place, testified that she had a conversation with Mr. Maguire, whom she had known seven years, in the vestry of the church about his wife. He said to her, "There never was a purer or more yertuous woman under the sun," and with tears in his eyes he said, "Anything she said against herself was a delusion of her poor brain."

Mrs. Thompson never saw anything unladylike or improper about her conduct. She never asked him concerning the Immorality of his wife, although he told her she had left him.

"Did you believe that she had run away with a man?" asked Mr. Patterson.

"No; Mr. Maguire said it was an illusion. I didn't believe she had done it at all: thought it was all illusion. I believed she was pure."

Mrs. Ann E. Gilbert, of No. 37 hast Twentieth street, where the reactor's wife lived for six months in 1881 with her father and stepmother, testified that Mrs. Maguire told her she came there for protection. Her conduct was sladylike and proper.

Similar testimony as to the propriety of the lady's conduct was given by Miss Nellie Barrett, of No. 215 East Fourteenth street.

Judge Osborn took the papers and reserved decision.

MARGARET COLE WAS JEALOUS.

MARGARET COLE WAS JEALOUS. SHE WANTED TO SCARE MES, JONES AND MADE A BONFILE,

Margaret Cole was tried for attempted arson yes terday in the Kings County Court of Sessions before Judge Moore and was acquitted by the jury. Jealousy prompted the woman to the commission of the act for which she was tried, but she denied any intent to set ure to the premises.

She had been living with Samuel Jones and he left her and married another woman. She visited the apartment house, No. 654 Carroll street, where Jones and his wife were living, and set fire to a lot of newspapers and throw them on the floor. She said she did it to tease and frighten Mrs. Jones. who was alone in the apartment. Then she knocked at the door to give the alarm and ran The fire was promptly extinguished by occupants

of the house.

In charging the jury Judge Moore cautioned them that it was for them to say whether it was probable that a person who intended to set fire to a dwelling would use such means and then give the alarm. To him it seemed that the evidence was not strong enough to convict her of such a grave offence as that which had been charged in the indiction. the indictment.

The jury sequitted the prisoner after a brief deliberation.

COST OF BRIDGE IMPROVEMENTS. Now that the question of terminal facilities for plans of the experts approved and accepted, the Bridge Trustees are discussing the prices to be paid for such services and the source from which the money may come. They think, President Howell says, that \$5,000 each would be a fair figure to

ell says, that \$5,000 each would be a fair figure to the three engineers who occupied six months in considering plans which were practically evolved a year or more ago.

The other items are estimated as follows:—New York station building, \$120,000; terminal station in Brooklyn, between Sands and High streets, \$120,000; storage yard property, bounded by Concord, Liberty, Tillary and Washington streets, \$630,000.

This block contains the Concord House, Brooklyn Institute and Washington Street Methodist Episcopal Church, &c. Cost of platforms, \$116,000; cost of machinery, \$68,000, and cost of additional rolling stock, \$303,000.

The necessary legislative permission and direction will be asked in the passage of an act now under consideration by Mayors Grant and Chapin and Comptrollers Myers and Jackson.

SAVED FROM HIS BURNING HOUSE. Alfred F. Lewis, who lives at No. 183 Atlantic avenue, Brooklyn, where he also has his cloak manufactory, had a narrow escape from being suffocated during a fire in his apartments early vesterday morning.

and they made their way into the street. While writing for the fire engines Lewis ran back to his room for some papers. His absence was prolonged and Police Sergeant Harkins proceeded to investigate. Lewis was found in a back room on the second door in a stupefled condition. The Sergeant was fined \$5 later in the Police Court,

carried him into the street, where an ambulance surgeon attended him.

Sergeant Harkins was nearly suffocated in his efforts to rescue Lewis. The premises were damaged \$1,250.

GRAND ARMY MEN FIGHT. POST COMMANDER COCHEU US'D HIS FISTS TO

ENFORCE HIS ARGUMENTS. Past Commander Frederick L. Cocheu, of Abel Smith Post, Brooklyn, used his fists with good effect on a number of his comrades during his trial by a court martial on Wednesday night.

He was accused a few months ago with retaining money belong to the post funds beyond the time allowed by the regulations of the Grand Army organization. There were other charges of a trivial nature, the whole procee lings, it is alleged, being brought against him by some member in the post because he organized an association outside the

The court martial was composed of past commanders, and similar proceedings have usually taken place in the post's heatquarters, on the corner of South Second street and Bedford avenue.

The court convened on Weinesday night in the real estate office of George W. Brown, No. 103 Broadway, Brooklyn. Major Nash L. Tebbetts presided and ex-United States Di-rict Attorney Mark D. Wilbur was Judge Advocate. General Horatio U. King was Coched's counsel, and when he called for certain papers from the prosecution and they were produced he declared they had been tampered with or mutilated to the detriment of his client. The charge created a great sensation. Major Tebbetts ordered the room cleared while the court deliberated upon matters on which some of the members were in doubt. Among those who went into an outer office were conea, his counsel and some of the comrades of the post for whom the accused commander does not bear a kindly feeling. The men had been in the office but a few minutes when Cocheu, it is said, shouted that any one who would abstract or mutilate papers to the highry of a comrate was a thicf. Ex-Adjutant Richmond, who stood beside Cocheu, denied that he had done anything of the kind, when cocheu, upointing at some members of the post who shood talking on the opposite side of the room, said to Richmond:—"I did not accuse you, but some of those there did it."

Sentor Vice Commander William Kinder, formerly a friend of Cocheu, was one of the group to whom

those there did it."

Senior Vice commander William Kinder, formerly
a friend of Cocheu, was one of the group to when
Cocheu addressed his remark, and he resented the insinuation. Blows were exchanged and the nuncling was becoming lively when some comrades interfered and separated the belligerents. Kinder was lying on the floor, while a man named Casey, who attempted to take his part, was knocked sense-less

less.

Cocheu invited all in the room to tackie bim, but none ventured near him. The members of the court were attracted to the outside and stopped the skirmish, which promised to end in a general fact.

nght.

The court reconvened and Cocheu apologized for what he had done, claiming that he had been struck first and he was only defeuding himself. It was said after the skirmish that warrants for assault would be sworn out by Kinder and Casey against Cocheu. The court martial was not con-MRS. BISHOP WINS HER SUIT. A verdict was yesterday awarded Mrs. Eleanor F.

Bishop, mother of the late Washington Irving Bishop, the mind reader, for \$2,977 50 against Thomas F. Henderson and John C. Hinman, the executors of the estate of the late Charles Runels, who resided for many years in South Brooklyn.

Mrs. Martha Runels was a cousin of Mrs. Hishop. Three trunks, containing rich and costly laces, embroideries, bronzes, a gold gobiet presented to the mind reader by Washington Irving, an oil painting and other valuable articles, were placed several years ago by Mrs. Hishop in the keeping of Runels. When he died she tried in vain to get possession of her property. her property.

MISS SCHUESSLER'S VICTORY.

The suit of Agnes Schuessler for \$20,000 damages against Louis Schlick, for breach of promise, came up before the Brooklyn City Court yesterday, and resulted in a verdict of \$10,000 for the plaintiff. The particulars of the case have been published in the HERALD.

Miss Schuessler, who is a dressmaker, lives with ther parents in Central avenue, Eastern District.
The defendant is in business in Wallabout Market,
She alleges that in December, 1887, after a courtship, he promised to make her his wife, but failed
to do so. Mr. Schlick interposed a general denial. A CHURCH ANNIVERSARY.

The anniversary of St. Paul's Episcopal Church, Clinton and Carroll streets, Brooklyn, will occur on St. Paul's Day, Sunday next. The evening service will be the annual festival

vespers, fully choral, at which in addition to the regular cauticles, authems by the leading comchoir.

St. Paul's Church enjoys the distinction of having had the first vested choir in Brooklyn, and of having aiways kept both choir and music up to a very high standard.

ALL AROUND BROOKLYN. Because the firm of P. J. Sullivan & Brother, cigar manufacturers at No. 56 Fulton atreet, is putting the union label on cheap Fennsylvania cigars, and also be-cause the firm has reduced the rate in Brocklyn below the union scale, coventy-live men and two women have quit work. The firm denies the assertions of the strikers, and it is claimed that the places of the strikers will be filled to-morrow.

Joseph Eisenberger was married by Justice Nacher Dur years age and then deserted his wife and went to Chingo. He remained away three years, and when he came eck and asked forgiveness of his wife he also asked her twork for him. On her refusal he threatened to kill or. He was arraigned in the Lee Avenue Folice Court he charge of abandonment yesteriay and was comitted to jail in default of ball.

nitted to jail in default of ball.

The Amorican Society of Civil Engineers inspected he system of tunnelling in the new sewer in process of tenstruction for the drainage of a large portion of the city at Fourth avenue and bean streat yesterday. They also viewed the open work at Third avenue and Buttertreat, and then went to the Ridgewood pumping station if the city's water works and inspected the large Worthington pumps and the auxiliary driven well system.

Patt hurstrain and their were nontting in Brooklyn.

agion pumps and the auxiliary driven well system. Petty burgiaries and thefix were plentiful in Brooklyn esterday. Thomas kelly, of a 0.57 hain street reported a ten once that four many desired a property of the property in the property in the possession.

The relative of the property of the property in the possession.

Troperty in his possession.

The relatives of the late Mrs. Kilen Mungey, who died it No. CSS Vanderbilt avenue, will contest her will. Mrs. singey died in an lineare saylum and in her will she he queathed money to a number of priests and charkable natuations. There were two codicils to the will. Roy. dward Corcoran, of St. Joseph's thurch, was named executor. When the will was offered for probate it was ound that Mrs. Mungey had deeded all her real property o her sister for the consideration of SMO and love and effection. The relatives will contest the will and the conveyance on the ground of incapacity.

SMITH PRAYED FOR DEATH.

Michael Smith was struck by an engine at the Henderson street crossing of the Pennsylvania Railroad in Jersey City yesterday afternoon, and his legs and right arm were broken and his left

his legs and right arm were broken and his left hand crushed. From the time of the accident, while waiting the arrival of the ambulance, the sufferer constantly prayed for death. His injuries are regarded as fatal.

J. G. Kohlbuch was crushed to death in the Jersey City depot of the Pennsylvania Railroad while attempting to board a moving trait. He was pinned between a car and one of the posts which support the temporary abad which serves as a depot. Kohlbach was fifty years old and lived at No. 89 East Kinuseenth street, this city. His body was removed to the Jersey City Morgue.

WHY HE SHOT HIS STEPSON.

Physicians yesterday located the bullet which was fired into the breast of Thomas Wardell in the Brooklyn Bridge has been settled, and the Harrison, N. J., on Wednesday night by his stepfather, Thomas Thompson, as told in yesterday's

Heraid. Wardell is still in a critical condition, and there is little hope of his recovery.

Thompson expresses no regret for his deed, and he says he intended to kill harry Wardell, another stepson, also. He bought the revolver a few hours before the shooting and told several people of his intentions. Thompson formerly kept a saloon, but recently failed and has since been jealous of the success of his stepson. He is held panding the the success of his stepson. He is held pending the result of Wardell's injuries.

AN ELECTRIC WIRE KILLS A HORSE.

[SY TELEGRAPH TO THE HE ALD.] PLEASANTVILLE, N. J., Jan. 22, 1891 .- A telephone wire was broken by the wind this morning and in falling it crossed the feeder wire of the electric streat railway and burned its way through the insulation. A horse attached to an express wagon driven by James Pine came in contact with the wire and was instantly killed. The frightened driver jumped from the wagon when the horse fell and a crowd gathered about the spot. Lineman Charles Millwood was summoned and cut the wire.

A WALKING DELEGATE'S TROUBLE.

A number of non-union hatters have been engaged to take the places of about fifty strikers in

EACH PLAN OF TRANSIT GUARANTEED THE BEST

Scores of Inventors at the First Hearing by the Commissioners Trying to Solve New York's Great Problem.

FACTS, FIGURES, AND FANCIES, TOO.

Underground Roads, El vated Roads, Combination Ro ds and Si gle Track Bicycle Roads All Urged Most Earnestly.

Many rapid transit schemes, all of them guaran teed to work like a charm, were laid before th Rapid Transit Commissioners at their public meeting in Steinway Hall yesterday afternoon. William Steinway, the chairman of the commis-

sion, presided, and John H. Starin, Samuel Spencer, John H. Inman and Eugene L. Bushe, the other Commissioners, were all present. John M. Bowers, the counsel of the commission, was there, too.

In starting the meeting Mr. Steinway stated to the enthusiastic investors present that they would not be allowed to talk about anything except routes and plans; that the commission was seeking solid

information and not theories. Oliver W. Barnes captured the floor first and described the rather old scheme of the New York Underground Railroad Company, to construct a big tunnel from City Hall Park to the Harlem River, in which provision would be made for local and express trains. He said that the work of construction could go on without any interference

with the sewers and pipes. Henry G. Sedgwick, the attorney of the company, reminded the commission that the charter of the company, granted in 1869, had not expired and that the company didn't propose to let any other concern capture its privileges without a fight.

THROUGH THE BLOCKS.

Ex-Judge William G. Choate, attorney for the City Railway Company, briefly explained the legal status of his company, which was organized in March, 1888. Then Thomas B. Clark, the company's engineer, sketched the company's scheme, which was to purchase the right of way through the blocks for a central route from South Ferry to the Harlem River, and then under the property thus purchased to lay a four track subway railroad, using two tracks for local trains and two for express

chased to lay a four track subway railroad, using two tracks for local trains and two for express trains. Electricity was to be the motive power employed, and Mr. Clark was prepared to gnarantee that there would be hardly any noise, that no pipes or sewers would be interfered with and that the express trains would be very fast.

Colonel Rowland V. Hazard, who has devised a variety of rapid transit schemes, was next heard. His argument was for a shallow subway toad under Broadway, and he exhibited a model to show how easily and neatly the work might be done. His proposition was to lay a couple of tracks under Broadway in adjacent subways. Besides providing for the trains, he said it was an essential part of the plans to construct galleries on either side in which all the pipes and wires now under Broadway, and a lot more that there is at present no room for, could be stored away. He argued that the construction of such a road would not involve more than a slight interference with the traffic on the surface, and when the job was once done it would put an end forever to the continual digging up of Broadway.

LUCHTING TRANSIT.

R. W. Gibson, the architect, expounded his scheme for a subway railway of two tracks under Broadway, to be continued under the Boulevard, where four tracks might be laid. In its general features it resembled Colonel Hazard's scheme, and an account of it was given in Wednesday's HERRALD.

E. M. Boynton proposed to supply New York with Helletheir transit. Instagle of ravid transit.

features it resembled Colonel Hazard's scheme, and an account of it was given in Wednesday's HERALD.

E. M. Boynton proposed to supply New York with "lightning transit," instead of rapid transit. He contended that on a single track, with a guide rail overhead, he could run a train by his bicycle system at over one hundred miles an hour. On a single row of pillars he said that he could lay two single rail tracks, one rail above the other, and thus give New York all the rapid transit it could stand. And it could be done very cheaply. He had no prejudices or preferences. He didn't care whether he went above ground or under ground, or whether steam or electricity was the motive power. He could guarantee "lightning transit" with either of them. But what he especially desired was a chance to apply his system to "I." roads. He was certain that the result would astonish New York.

T. C. Gribble had an original scheme, and he was certain that it was tust what New York needed. "The substance of my scheme," he said, "is to unite a surface railway and an underground railway under one system, and to operate them from one power station. They may be worked by cable or electricity, but I prefer electricity.

"The surface train will be moving at from six to eight miles an hour. The underground railway express train will be immediately under the street and moving at about thirty miles an hour, stopping at stations about one mile apart upon the absolute block system. A passenger wishing to go from the City Hall to Harlem would enter a way car wherever he might be and obtain a transfer at the nearest express station. The stations might be simply the ground floor of a house, having the cellars extended by a gallery under the sidewalk to the railroad. This method of constant express service will enable every car to do a bout three times as much work as a car upon the elevated railway, where they take fifty-two minutes in getting from South Ferry to 155th street."

Mr. Gribble contended that, compared with other systems that had been

upon the elevated railway, where they take fiftytwo minutes in getting from South Ferry to 155th
street."

Mr. Gribble contended that, compared with
other systems that had been advocated before tha
commission, his system was a cheap one, and that
the work of construction would be done vory rapidly and with very little interference with traffic
on the streets. An important advantage of the system he urged, was that by providing subways for
plpes and wires adjacent to the express railway
subways it would do away with the necessity of
any future digging up of the streets.

HINTS FOR ROUTES.

Charles Machae suggested that a grand central
station should be erected on purchased property
near the City Hall, where elevated and underground lines should converge. Here are some of
his ideas:—

"Starting from this central station at or near the
City Hall, I would construct a four track underground line under City Hall Park to the junction
of New Elm street at Chambers and Centre streets,
thence under New Elm street, Lafayette place,
Astor place, Eighth street and Fourth avenue to
Thirty-fourth street and under the existing tunnel
in Park avenue to about Forty-first street,
where a divergence would occur, one pair of
tracks to the east to continue under the
present tracks between the two buildings of the
dirand Central Depot, and the westerly pair to curve
under Forty-second street and under Vanderbilt
avenue to Forty-fifth street; all the tracks to pass
under the trand Central Depot yard, but in separate tunnels, having the Grand Central building between them, and continue to about Forty-innth
street, and thence to be continued in tunnels and
viaducts formed under and over the existing roadways of Park avenue to the south bank of the Harlem River, thence over the Harlem River on two
bridges."

THE CABLE ON STILES.

Stephen Tobin proposed a four-track elevated

bridges."

THE CABLE ON STILTS.

Stephen Tobin proposed a four-track elevated cable railroad from the Battery to 130th street on the west side, through West street and Tenth avenue, to be continued as a surface road with two tracks beyond 130th street.

Lawson N. Fuller advocated the building of more "L" roads, but wished it understood that the "L" people didn't pay him anything for so doing.

Mr. Steinway said that he would give due notice of the next public nearing.

DYNAMITE SCARE IN YONKERS.

The citizens of South Yonkers and of Yonkers are very much excited over the discovery of a ton and a half of dynamite which is stored at Nepperhan on the New York and Northern Railroad. It is said

on the New York and Northern Railroad. It is said that the dynamite belongs to Brushaw & Pennell, hardware dealers, corner of Main street and Railroad avenue.

The discovery of the dynamite was made by Mr. A. Baxter, of No. 504 Warburton avenue, who owns at least \$50,000 worth of property near the place of storage. When Mr. Baxter discovered the dynamite he at once notified the police, who are now investigating the matter. The storage house is within tive hundred feet of the New York and Northern Railroad and within one block of Public School No. 1, in which forty pupils attend every day.

day.

Should the mass of dynamite explode the entire city of Yonkers would be wiped out of existence. It is against the law to store dynamits within the city limits of Yonkers.

PASTOR CRAWFORD'S RETIREMENT.

Rev. John Crawford, pastor of Trinity Methodist Episcopal Church, Jersey City, will sever his connection with that charge next Sunday. His resignation will be presented to the Board of Trustees on that day and will be accepted.

The fact that he would not remain until the close of his present term, when the Newark Conference

meets, was made known at the mesting on Wednesday night and caused surprise, as the conviction of the congregation was that he would be continued as paster next year.

The reason offered for his abrupt retirement is ill health. He recently recovered from a long and severe attack of brunchitis, and his concluded that a charge in a city more distant from the ocean will be beneficial. He will probably be transferred to Passaic, as he has received a call from that city and accepted it. He will go to Bermuda to obtain rest and acquire strength for his new pastorate.

REAL ESTATE SALES.

THERE WAS LITTLE BUSINESS FOR AUCTIONEERS

IN THE FECHANGE YESTERDAY. There was little business in the real estate market yesterday. In the auction room of the Exchange several sales bulletined were adjourned by auctioneers Harnett and Kennelly,

Horatio Henriques conducted the sales intrusted to his care. Promptly at the hour of noon he sold Nos. 1,248 and 1,247 Columbus avenue, west side, north of Seventy-fifth street, five story flats on plot 51x100 as follows:-No. 1,245 for \$35,250 and No. 1,247 for \$34,250. Mr. Gustave Comfrecht was

Auctioneer John F. B. Smyth held a public sale of various east side properties. He first offered of various cast side properties. He have observed to the control of the control o

S34,000.

RECORDED TRANSFERS.

Ist av., 1,640, Babette Mayer to Henry Dosches and another.

Sand another.

Boscher and another.

Doscher and another to Honry Bosches and specific another to Hoss Federand Sand Boulevard, n. c. cur. 104th st., 109,11x81.5x 194.5x118.2; Mary A. Draper to the Southern New York Baphist Association.

11th st., 173 Boss, desconding the Hosens and wife to John Furey.

24,000 10th sv. w. s., 74.3 ft. s. of 39th st., 24.5x75; Barbara Bartmann and another to Philipp Linder.

24,000 nd wife.
th st. s. s., 291.3 ft. s. of 5th av., 18.9898,11;
nn K. Fisher to Jane McMahon.
h st., 142 East, John Renchau to Fraderick T.
Legadorf. Warlon av., c. s., 50 ft. n. of Dorothea place, 50x18; William W. Thompson and wife to David C. reft.

Waverley place, 20, 22; Thomas W. Evans and wife to Simon Goldenberg, 50x102 2; George S. Lee, 108,000 Sth av., n. e. cor. 72d st., 50x102 2; George S. Lee, plnases and another, executors, to Charles F. Havemeyer, 5th av., e., s. 46,11 ft. s. of 128th st., 20x110; Charles W. Esyton and wife to James V. S. Weelley. 2,700

Charles W. Dayton and wife to James V. S. Woolley.

Mount Morris av. w. s., 50.11 ft. n. of 121st st., 25x78; James V. S. Woolley and wife to Laura.

A. Dayton.

104th st., s. s., 250 ft. w. of 13d av., 25x8100.11; Herman Klussmanu to Jacob Keyser and wife.

134th st., s., 325 ft. e. of 8th sv., 25x99.11; William R. Lowe and wife to Frank M. Tichener.

Northern av., w. s., 200 ft. s. of 10s 5, map Fors Washington, indef, Hugh N. Camp and wife to Julius Buchanan.

Same property: Mutual Life Insurance Co. to Hugh N. Camp.

Washington, indet, Hugh N. Camp and wife to
Julius Buchanan.

Same property; Mutual Life Insurance Co. to
Hugh N. Camp.

30th st., 444, 446. Went; John H. Hass and wife to
Frank A. Assmann, half part.

Central or Jorome av., s. c. a., n. w. cor. land hereby described, 130x230x30x345; Mary A. Foole to
William R. Lowe.

Allen, Catharlan Buchand Molington.

Bolen, Julia A. C., and another. Mary Harrison.

732 Lexington av.; 3 years.

Bernhardt, Mary J. and Louise, to the Edwary

savings Bank, s. s. Stanton st., s. of Attornay

st.; 2 years.

Brehardt, Mary J. and Louise, to the Rowery

savings Bank, s. s. Stanton st., s. of Attornay

st.; 2 years.

Buchund, Julius, tö Hugh N. Camp, section 8,
block 2,179, map land city of New York; 3 years.

Camp, Hugh N., to the Mutual Life Insurance

Company, section 8, blocks 2,178, 2,179 and

2,177, had map city of New York; 1 year.

Goldenberg, Sluon, to Thomas N. Evaus, M. D., 20

and 22 Waverley place; 2 years.

Havemeyer Charles F., to George S. Lespinance

and another, trateces, c. s. Columbus, n. of

72d at.; 1 year.

Mctuffer, Samual R., and wife, to New York Dispensary, s. s. 105th st., c. of West End av.; 5

Yoars.

Real Ellian, 3 years.

Real Ellian, 3 years.

Browness.

The Southern New York Baptist Association to

Mary A. P. Drapper, c. a Boulevard, n. of 104th

Mary A. P. Drapper, c. a Boulevard, n. of 104th

year. 20,000
The Southern New York Baptist Association to Mary A. P. Draper, a. a. Boulevard, n. of 104th st.; 5 years, 2 mortgages. 37,500
Wright, Isaac E., and wife, to Julia E., Cameron, n. s. 131st st., e. of 8th av.; 3 years, 7 mortgages 87,000 FARMER TOMS RECOVERING.

THE DETECTIVES HAVE NOT YET ARRESTED THE MEN WHO TIED HIM UP. The condition of John Toms, the farmer who was triced up for fifty-one hours by robbers at the farmhouse of Mrs. Jane Kilpatrick, near New

Brunswick, N. J., was much improved yesterday,

He was able to walk about, and talked freely with those who called of the attack made upon him. It is now stated that the two robbers placed a at its now stated that the two robbers placed a mattress under Toms and so triced him up to the wall that he was able to lie at length upon the mattress. The ropes about his wrists were so tightly bound, however, that the flesh was lacerated, and it will be some time before he recovers the full uss of his hands. The sufferings endured by him were so great that it is a matter of surprise to Dr. Baldwin and others that he did not die before he was discovered.

Detectives Monsell and Oliver, who have the matter in hand, received news yesterday morning.

discovered.

Detectives Monsell and Oliver, who have the matter in hand, received news yesterday morning which led them to believe that Cook and Walker, the assailants of Toms, were in hiding in or near this city, and they at once began an investigation. No arrests had been reported last evening.

Cook is said to be not more than twenty-eight years old. He is a tail, rather awkward and powerfully built man and has generally been regarded as a good natured fellow. John Walker, his brotherin-law, is not given so good a character. He is about forty-five years old.

TRIED TO SHOOT HIS WIFE.

IBY TELEGRAPH TO THE HERALD, I New Haven, Cons., Jan. 22, 1891 .- John L. Jude this afternoon fired two shots at his wife neither of which injured her fatally. Jude and his wife, twenty-five and twenty-two years of age respec tively, have not been living together for some time having separated owing to the wife's relations with a number of well known young men in this city. He had begun an action for divorce and the case was to have been heard in the Superior Court

case was to have been heard in the Superior Court to-morrow.

At the time of the shooting Mrs. Jude was at the residence of Mrs. Henry Steley, at No. 70 Perkins street, where she had been stepping for a couple of weeks. Her husband has a meat market and was delivering goods at the home of Mrs. Seeley when he saw his wife.

He claims that his wife has been circulating a number of stories about him, and when he saw her this morning he became greatly excited and fired at her. Mrs. Jude was not seriously injured. Her husband surrendered himself immediately after the shooting at the Grand avenue precounct, and he was held for trial on the charge of attempted murder.

POSTMASTER MAYNOR IS SORRY

Postmaster J. W. Maynor, of Point Creek, W. Va., who shot Special Policeman Ward, of Rahway, in the arm on Wednesday, as told in the HEBALD yesterday, was arraigned before Justice Drossler, of Rahway, yesterday. Ward was unable to appear in court, and Maynor was remanded to the Elizabeth jall. James Vance, the green goods man, with whom Maynor was found when he ran away from the policeman, was also arraigned, and was held in \$1,000 ball for trial. Maynor said he would not have shot Ward if he had known he was a police-

DROWNED WHILE SKATING.

Charles Edwards, ton years old, while skating on a little pond at the corner of McLean and Vine streets, in Paterson, N.J., yesterday, broke through the ice and sank through a manhole into a sewer. His body has not yet been recovered.

PERIOD OF THE SUN'S ROTATION.

TO THE EDITOR OF THE HERALD:-The present querist wrote a while ago to Professor Brackett, of Princeton, and to Dr. Swift and Professor Howe, directors of Warner's and of the Chamberlin observatories, making inquiries tot ching the length of the sun's periods of rotation.

ing the length of the sun's periods of rotation. Swift's answer was, "25 to 26 days;" Brackett's, "605 to 630 hours," and Howe's, "26 days, 5 hours and 38 seconds." Brackett said his replies were "according to Newcomb."

Professor Newcomb was addressed directly. His report of the average solar rotary period was "607 nours and 48 minutes"—that is, adopting his measurement of the earth's day, 25 2-5 days.

But now "Dr. Veeder" introduces himself, through a late issue of the Henath, with a theory that our aufora borealis make its appearances after approximately regular intervals, which intervals are identical with those between a sun spot's departures from and returns to a given position. These time spaces are claimed to be, upon an average, 27 th days, The necessary inference, of courses that the sun makes one rotation in that number of days.

of days.

Can you enlighten us upon the discrepancy
pointed at? Some account of the movements of
spots upon as well as with the sun's surface woul
be instructive.

DENVER, Col., Jan. 19, 1891.